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Thereby certify that this correspondence and any document referred to as being attached thereto is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 15, 2004.

Luz C. Lòpez

(Name of person mailing paper)

PATENT

Attorney Patent No.: 57188/02-774 Response to Non-compliant Amendment

Page 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Confer et al.

Serial No.:

10/696,544

Filed:

10/29/2003

Confirmation No.:

7788

Title:

M. Haemolytica Outer Membrane Protein PlpE as a Vaccine Component

Against Shipping Fever

Art Unit:

1645

Examiner:

Devi, Sarvamangala

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.122)

This communication is responsive to the Notice of Non-Compliant Amendment mailed 09/16/2004. In response, Applicant submits herewith a revised version of the "Amendments to the Claims" section of Applicant's previously filed Response to Restriction Requirement dated September 3, 2004 wherein the revision is designed to remedy certain omissions in that paper which caused the Patent Office to reject it as "Non-compliant." The Commissioner is authorized to charge the deposit account of the undersigned, Deposit Account No. 06-0540, for any fees that may be due because of the filing of this response.